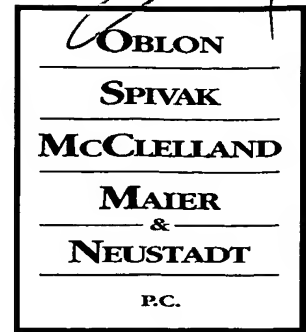




Corres. and Mail
BOX AF

Docket No.: 218125US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/044,956
Applicants: Keiji NAKAYAMA, et al.
Filing Date: January 15, 2002
For: METHOD OF AND APPARATUS FOR MEASURING
AND EVALUATING MATERIAL STRENGTH BY
DETECTING CHARGED PARTICLES
Group Art Unit: 2855
Examiner: ALLEN, A.

"RESPONSE UNDER 37 CFR 1.116-
EXPEDITED PROCEDURE EXAMINING
GROUP 2855"

SIR:

Attached hereto for filing are the following papers:

NOTICE OF APPEAL
REQUEST FOR EXTENSION OF TIME
REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116

Our check in the amount of \$1,280.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Gregory J. Maier

Registration No. 25,599

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)
I:\ATTY\PH\21S\218125\CVR LTR 011604.DOC

Philip J. Hoffmann
Registration No. 46,340

RECEIVED
JAN 22 2004
TECHNOLOGY CENTER 2800

Docket No. 218125US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Keiji NAKAYAMA, et al.

GAU: 2855

SERIAL NO: 10/044,956

EXAMINER: ALLEN, A.

FILED: January 15, 2002

FOR: METHOD OF AND APPARATUS FOR MEASURING AND EVALUATING MATERIAL STRENGTH
BY DETECTING CHARGED PARTICLES

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

"RESPONSE UNDER 37 CFR 1.116-
EXPEDITED PROCEDURE EXAMINING
GROUP 2855"

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated July 16, 2003.

The items checked below are appropriate:

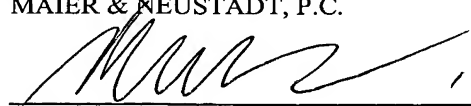
- ☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for _____ months.
- ☒ A timely response to the final rejection is filed herewith, as provided in 841 O.G. 1411.
- ☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.

Fee: \$330.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ A check is Enclosed
- ☐ A credit card payment form is enclosed
- ☐ Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).
- ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.
- ☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Gregory J. Maier

Registration No. 25,599

Philip J. Hoffmann

Registration No. 46,340

01/20/2004 00000071 10044956

01 FC:1401

330.00 0P

Customer Number

22850

Tel. (703) 413-3000

Fax. (703) 413-2220

(OSMMN 05/03)

I:\ATTY\PH\21S\218125\NOA 011604.DOC

RECEIVED
JAN 22 2004
TECHNOLOGY CENTER 2800